

**OF CALISTOGA
PLANNING COMMISSION
REGULAR MEETING MINUTES**

**Wednesday, November 10, 2010
5:30 PM
Calistoga Community Center
1307 Washington St., Calistoga, CA**

**Chairman Jeff Manfredi
Vice- Chairman Clayton Creager
Commissioner Paul Coates
Commissioner Nicholas Kite
Commissioner Matthew Moye**

“California Courts have consistently upheld that development is a privilege, not a right.”

Among the most cited cases for this proposition are Associated Home Builders, Inc. v. City of Walnut Creek, 4 Cal.3d633 (1971) (no right to subdivide), and Trent Meredith, Inc. v. City of Oxnard, 114 Cal. App. 3d 317 (1981) (development is a privilege).

1
2 **Chairman Manfredi** called the meeting to order at 5:40 PM.
3

4 **A. ROLL CALL**

5 **Present:** Chairman Jeff Manfredi, Commissioners Paul Coates Nicholas Kite, and Matthew
6 Moye. **Absent:** Vice-Chairman Clayton Creager. **Staff Present:** Charlene Gallina, Planning and
7 Building Director, Erik Lundquist, Associate Planner, and Kathleen Guill, Planning Commission
8 Secretary. **Absent:** Ken MacNab, Senior Planner.
9

10 **B. PLEDGE OF ALLEGIANCE**

11 None.
12

13 **C. PUBLIC COMMENTS**

14
15 **D. ADOPTION OF MEETING AGENDA**

16 There was motion by **Commissioner Moye**, seconded by **Commissioner Kite** to approve the
17 agenda as provided. **Motion carried: 4-0-1-0.**
18

19 **E. COMMUNICATIONS/CORRESPONDENCE**

20 The following correspondence received too late to be included in the meeting materials were
21 distributed to the Commissioners by the Secretary.

22 1. Letter from N. Gofman received November 09, 2010 regarding Agenda Item I-1, Conceptual
23 Design Review CDR 2005-05, Roman Spa Hot Springs Resort Redevelopment.
24

25 2. Letter from George Krevets received November 10, 2010 regarding Agenda Item I-1,
26 Conceptual Design Review CDR 2005-05, Roman Spa Hot Springs Resort Redevelopment.
27

28 **F. CONSENT CALENDAR**

29 Planning Commission regular meeting Minutes of regular Meeting Minutes of October 13, 2010.

30 There was motion by **Commissioner Moye**, seconded by **Commissioner Kite** to approve the
31 Consent Calendar as presented. **Motion carried: 4-0-1-0.**
32

33 **G. TOUR OF INSPECTION**

34 None.
35

36 **H. PUBLIC HEARINGS**

37 1. **Conditional Use Permit Amendment (U 2010-08):** Consideration of an amendment to the
38 previously approved Conditional Use Permit (U 2006-16) eliminating the owner/manager

39 residence requirements associated with “The Craftsman Inn”, a five (5) unit bed and breakfast
40 facility, located at 1213 Foothill Boulevard (APN 011-310-005) within the “R1-10”, Single Family
41 Residential District. The property owners are Nicholas and Gillian Kite.

42

43 As the project applicant Commissioner Kite recused himself from discussion and excused himself
44 from his seat.

45

46 In response to the applicant’s written request there was motion by **Chairman Manfredi**, seconded
47 by **Commissioner Coates** to continue this item to the regular meeting of November 18, 2010.

48

Motion carried: 3-0-1-1.

49

50 **Commissioner Kite** resumed his seat on the Planning Commission.

51

52 **2. Conditional Use Permit Amendment (U 2010-09):** Consideration of an amendment to the
53 previously approved Conditional Use Permit (U 84-4) eliminating the owner/manager residence
54 requirements associated with “The Chanric Inn”, granting an exception to the parking
55 requirements and increasing the number of guest units from a six (6) unit bed and breakfast
56 facility to an eight (8) unit bed and breakfast facility, located at 1805 Foothill Boulevard (APN 011-
57 290-029) within the “R-1-10”, Single Family Residential District. The property owner is Richard
58 Pielstick.

59

60 In response to the applicant’s written request there was motion by **Commissioner Coates**,
61 seconded by **Commissioner Moyer** to continue this item to the regular meeting of December 8,
62 2010. **Motion carried: 4-0-1-0.**

63

64 **3. DR 2010-03:** Consideration of a request for Design Review approval by Amar Patel, on behalf
65 of Comfort Property, LLC, to replace the existing “Lodge at Calistoga” monument sign with a
66 “Comfort Inn” monument sign on property located at 1865 Lincoln Avenue (APN 011-062-010)
67 within the “CC-DD” Community Commercial-Design District. This proposed action is exempt from
68 the California Environmental Quality Act (CEQA) under Section 15311 of the CEQA Guidelines.

69

70 **Director Gallina** presented an overview of the sign permit application noting due to comments
71 received this has been brought forward for consideration opposed to the allowable administrative
72 review by staff. Director Gallina provided a brief historic review of previous signage noting the
73 hotel originally opened as a “Comfort Inn” in 1986 which was part of the Choice Hotels family.
74 Since then the City has adopted several regulatory changes related to franchise businesses that
75 made the Comfort Inn a legally non-conforming use. In 2007 the hotel changed from “Comfort
76 Inn” to “The Lodge at Calistoga – A Clarion Collection Hotel” and replaced the sign and did not
77 exhibit any standardized design elements, corporate logos etc., characteristic of other Clarion
78 Collection hotels in the region, even though it was still affiliated with the Choice Hotels family of
79 hotels. This past spring we received notification there was a need to change the “Lodge at
80 Calistoga” sign and restore the “Comfort Inn” sign, in connection with the Clarion Brand to enable
81 them to retain the hotel room reservation system. Based on zoning regulations on signs/formula
82 business, we found the operator has lost the non conforming rights, and the sign elements needs
83 to differentiate it in order to distinguish it from other “Comfort Inn” typical signs. The applicant
84 requests consideration for an alternate proposal instead of traditional blue background with white
85 letters and add Napa Valley Wine Country.

86

87 **Chairman Manfredi** opened the public portion of the hearing at 5:49 PM.

88

89 **Omar Patel** confirmed the proposed changes differentiated from the usual formula business sign.

90

91 **Chairman Manfredi** closed the public portion of discussion at 5:52 PM.

92

93 **Commissioner Coates** noted the sign was simple displaying "Comfort Inn" and he had no
94 problem with the proposed colors.

95

96 **Commissioner Kite** stated the owners effectively abandoned their legal non conforming rights
97 and as a new application the sign clearly establishes the business as a formula business. The
98 proposed sign would still look like any other Comfort Inn and the City ordinances expressly forbid
99 that.

100

101 **Commissioner Moye** noted even if they would have remained the Calistoga Lodge everyone still
102 new it as a Comfort Inn, and they did do a good job trying to differentiate.

103

104 **Chairman Manfredi** stated he thought this sign needed some work and the applicant should
105 attempt to be more creative and provide something more in character with other existing signs in
106 Calistoga. He asked them to come up with something not so in your face "Comfort Inn", because
107 there is still the question on the legal non-conforming use. He suggested they attempt to have
108 some fun, not believing the Comfort Inn would be so rigid to not allow more leeway.

109

110 **Commissioner Coates** stated he had no not a problem with the wording, but it could be said in a
111 more elegant way.

112

113 **Commissioner Kite** suggested providing a name such as "Napa Valley Wine Country Inn" and in
114 less bold lettering a tag of "Comfort Inn" below it.

115

116 **Commissioner Kite** noted they haven't sold themselves as a Comfort Inn in three years.

117

118 **Chairman Manfredi** asked why Calistoga isn't in this name anywhere, instead of Napa.

119

120 **Omar Patel** stated he has to work with Choice Hotels and asked what the committee is looking
121 for, the trademarks are very strict and they have provided a lot of variations. He asked what the
122 overall look should include, i.e. different fonts, borders, edges. etc.

123

124 **Commissioner Kite** stated the previous sign reflected "Clarion Collection" as the tag line, this is
125 clearly a chain formula hotel. It is logical to think with the company's previous flexibility this could
126 again be worked out.

127

128 **Reginald Newsome**, representative of Choice Hotels stated the Clarion Collection brand allowed
129 them to establish their own signage and all that was required was a plaque. It has been decided
130 that brand didn't work, the Comfort Inn brand does not allow that much flexibility.

131

132 **Commissioner Kite** asked why the brand is so important.

133

134 **Reginald Newsome** said there is flexibility with the logo but "Comfort Inn" needs to stay.

135 **Commissioner Kite** noted objectives seemed to be opposite, Mr. Newsome basically confirms
136 they are a formula business, but the code disallows formula business. In an attempt to work with
137 the applicant he suggested creating a non brand name as the major hotel name for the top, and
138 somewhere in smaller text a tag line identification of Comfort Inn Hotels. The first time the name
139 was established there was not an issue as it was prior to the non formula business ordinance and
140 the hotel has since abandoned the non-legal conforming right.

141
142 **Chairman Manfredi** suggested the applicant could use Calistoga, Hot Springs of the West in the
143 name and limit the proportions of the logo. Resubmit and leave it to the discretion of staff for
144 approval.

145
146 **Director Gallina** suggested another option would be to continue the item to the December 8
147 Planning Commission meeting.

148
149 **Commissioner Coates** stated he could support the "Comfort Inn" name but how it is done was
150 the issue.

151
152 There was motion by **Chairman Manfredi**, seconded by **Commissioner Coates** directing Staff to
153 work with the applicant using the directives of the commission. They would like the name to
154 contain Calistoga, Hot Springs of the West, assuring the proportions are not overwhelmed by the
155 logo and Comfort Inn. **Motion carried: 4-0-1-0.**

156
157

158 H. NEW BUSINESS

159

160 1. **CDR 2005-05.** Review of conceptual development plans for expansion of the Roman Spa Hot
161 Springs Resort. The proposed expansion includes the following improvements: (1) one
162 reinstated guest room and three new guest rooms (for a total of 64 guest rooms); (2) an
163 approximately 30,000 square foot spa; (3) re-establishment of two residential units; (4) new and
164 renovated swimming pools; (5) a conference room; and (6) other related site and landscaping
165 improvements. The properties are located at 1300 Washington Street within the "DC-DD"
166 Downtown Commercial – Design District Overlay Zoning District and at 1424 Second Street & 1455
167 First Street within the "CC-DD", Community Commercial – Design District Overlay Zoning District
168 (APN 011-204-015 and 011-204-011 & 011-204-003).

169

170 **Chairman Manfredi** opened discussion on the item inviting Mr. Quast to provide an overview of
171 the project.

172

173 **Chairman Manfredi** and **Commissioner Moye** disclosed prior to the meeting they had
174 individually visited the spa to get acclimated to with the project site.

175

176 **Michael Quast**, 1300 Washington Street stated the basic difference from his previous submittal is
177 the addition of another parcel which provides better use of space with an improved design.
178 Previously his proposal was for a two story spa and they couldn't accomplish more than two to
179 five foot setbacks and this proposal also allows creation of a superior level of design. He
180 introduced Adrian Colter, Architect to provide the design presentation.

181

182 **Adrian Colter**, of David Bury and Company provided a complete overview of the proposed project
183 highlighting the additions and upgraded image for the first and second floors. Mr. Colter reviewed
184 the perimeter shape at the street and identified certain area's that have been pushed back. He
185 described a more interesting parking area, 5 – 10 feet off the property line. He further pointed out
186 how the second story pulled back even further and described the new third floor plan with new
187 hotel rooms and upgrades, including a roof garden terrace. He provided elevations, described the
188 trash enclosure, and presented a side view of the spa.

189
190 **Planner Lundquist** shared this exciting project that would enable the applicant to meet new
191 trends and desires of clientele, noting the City does appreciate this. He provided a brief history
192 stating the initial project scheme was provided in 2006. Reporting subsequently a Memo of
193 Understanding was prepared for staff to work with the applicant, negotiate a development
194 agreement, and refine plans to come forward for review. The conceptual design has been
195 provided for further consideration to determine if a Planned Development District would make
196 sense and provide appropriate flexibility. Planner Lundquist referenced the staff report, page 2 of
197 10, starting at line 43, as areas requiring feedback from the Commission:

198
199 *Is establishing a Planned Development District an appropriate land use alternative to*
200 *ensure flexibility in the development standards?*

201
202 *Is the overall massing and scale appropriate? Does the massing scale of this project make*
203 *sense. (something impacting the adjoining view sheds and shadowing effects).*

204
205 *Are the overall heights and the 3-story elements of the Roman Spa and Stella Vista*
206 *buildings designed to ensure compatibility with the surrounding properties?*

207
208 *Is the current parking configuration sufficient to accommodate the proposed uses? Does a*
209 *Planned Development District meet the needs of parking. If not, would a Planned*
210 *Development District and tier one in-lieu fee payment provide adequate mitigation to off set*
211 *the deficient parking?*

212
213 **Planner Lundquist** reviewed the zoning and requested guidance for rezoning of the properties to
214 a Planned Development District, to include specific standards created for each resulting property
215 and the lot line adjustment. He asked if the Planning Commission is willing to consider specific
216 standards not particularly within the norm, to provide design flexibility and create a more
217 pedestrian image. Parking: Mr. Lundquist reported the desire for flexibility in parking, looking at
218 deficiency verses strict application. A planned development scenario would provide flexibility in
219 joint utilization. He reported trends of parking have changed, cities are trying not to design around
220 parking, and don't want to have huge parking lots. Is this deficiency in the planned development
221 (PD) appropriate for this project?

222
223 **Planner Lundquist** reviewed the massing, stating that overall the project was remarkable, he
224 questioned what are the significant resources and does it have neighborhood compatibility, would
225 the impact to neighbors be too great. Technical studies and proper environmental analysis would
226 be brought back with discretionary and planning actions.

227

228 **Chairman Manfredi** reminded there would be no decision during this meeting and the Planning
229 Commission reserves the right to change their mind, but the desire is to give the applicant good
230 feedback.

231
232 **Commissioner Coates** asked for clarification asking if this is what was projected in the
233 Memorandum of Understanding.

234
235 **Planner Lundquist** stated the primary change is the First Street property, and it their intent to
236 take the MOU back to City Council for guidance and modification.

237
238 **Commissioner Coates** noted one of the letters received had stated it wasn't part of the initial
239 intent.

240
241 **Commissioner Kite** stated he was struggling with why it should be a planned development and
242 not given consideration within the current zoning.

243
244 **Planner Lundquist** reported the proposal would not meet parking requirements, etc within the
245 current zoning.

246
247 **Margaret Nicholson**, 1707 Michael Way, stated she owned property at 1421 Second Street, right
248 across from the proposed three stories. She stated three stories is a massive spa, and will likely
249 attract younger clients and impose a lack of privacy due to windows and use of the roof. Her
250 renters would have huge exposure at the whims of transient visitors. Ms. Nicholson noted how
251 many persons currently avoid Second Street because it is so narrow. In addition she shared
252 concern that the three story structure would shed more darkness in day or more light in the night
253 due to lighting. The street could become colder and darker in the winter. Ms. Nicholson stated
254 reversing the garbage receptacle would be insignificant. It is her opinion people come here for an
255 old world feel and we need to stay attractive for families, keep our funky-ness and not elaborate.
256 In conclusion Ms. Nicholson requested story poles be provided to see the proposed height,
257 because it appears very massive.

258
259 **Susan Baxter** reported current residents come home now with no where to park, and there are
260 current problems with delivery trucks pulling up on my side of the street and with this renovation it
261 will increase. She shared her concern for losing all her views of hills and trees, and anxiousness
262 of the back balcony's and windows looking down on her property. It won't be quiet and the
263 garbage receptacles will impact all of us. Second Street is a mess and our sewers have a
264 problem there. In closing she stated she is not against renovation, but was concerned with the
265 looming three story buildings staring them in the face.

266
267 **Rosie Gofman**, neighbor 1465 First Street, shared a question regarding zoning, asking staff if
268 First Street was rezoned how would it affect her house.

269
270 **Planner Lundquist** reported 1455 First Street and her property at 1465 First Street will have no
271 change.

272
273 **Rosie Gofman** reported she applauded the Roman Spa expansion/renovation, however she
274 reported their property originally had mineral water and it has suddenly changed, so this change
275 has and does affect them.

276 **Planner Lundquist** advised he can look into the mineral water issue and will respond.

277

278 **Chris Canning**, Calistoga Chamber, provided no commentary as to size, however wanted to say
279 upgrading and improvement of this facility is exactly what this town needs. In order to grow as a
280 community we need to improve the amenities, he assured there is a market for this product and it
281 will only have a positive impact on this community.

282

283 **Page Monte** agreed our spa town needs something like this. Page reported having lived on
284 Second Street and stated they are right, there is definitely a lack of parking, however the hope is
285 the town will embrace the idea and this will reinforce that Calistoga is “the” destination.

286

287 **Chairman Manfredi** closed discussion and asked for commissioner comments at 6:50 PM.

288

289 **Commissioner Moyer** reported he had visited the spa and walked around the perimeter. His
290 concern was the height of the building. He appreciated the architectural scaling the tiering
291 pushing away from Second Street, and liked the project. Referencing the proposed ten year
292 phasing due to cost, he recommended getting the project done sooner for less construction
293 impact to the nearby neighbors.

294

295 **Commissioner Coates** asked how many mud baths etc, are provided on a good day, and how
296 many cars does it add.

297

298 **Michael Quast** reported 14 to 15 per hour, and with mud bathes increasing to three couples they
299 are looking at 20 to 25 people per hour. Calistoga doesn't have a shared parking component to
300 consider the hotel works 24 hours, with the most occupancy up to 93 percent. He asked they
301 understand some visits are short and intermittent, but it is not an island and there is a lot of
302 overflow available. There is adjoining parking spaces and he should get credit for that.

303

304 **Commissioner Coates** agreed it is difficult to quantify, but there is a lack of grip on reality. He
305 questioned how events impact the use, and how does traffic play into it. It is a concern.

306

307 **Michael Quast** reported Second Street was more manageable years ago, but there is a huge flux
308 with a big change between seasons, and we don't put a lot of pressure on Second Street. There
309 is lot of fluid parking in the general area.

310

311 **Commissioner Coates** asked if the developer has had any meetings with persons on Second
312 Street to talk about their concerns.

313

314 **Michael Quast** stated he has talked with and provided plans to close neighbors and worked hard
315 to lessen impact toward Second Street.

316

317 **Chairman Manfredi** directed attention to the four questions in the Staff Report, page 10 of 10.

318

319 *1. Is establishing a Planned Development District an appropriate land use alternative to ensure*
320 *flexibility in the development standards?*

321

322 **Commissioner Kite** stated the purpose of planned development is to answer some restraints with
323 an exchange.

324 **Commissioner Moye** asked what the problem in the area is.

325
326 **Planner Lundquist** reported it is the parking and height limitations.

327
328 **Commissioner Moye** asked if there were no budging room without a planned development.

329
330 **Commissioner Coates** acknowledged the flexibility of a planned development allows the
331 applicant and the city to resolve issues that could stymie a project.

332
333 **Chairman Manfredi** stated it also gives the Planning Commission flexibility as well as the
334 applicant for give and take, not just a one way street. Planning Commission consensus is yes, the
335 Planning Commission does support having a planned development.

336
337 *2. Is the overall massing and scale appropriate? If not, what modifications should be done to*
338 *achieve a more desirable mass and scale?*

339
340 **Chairman Manfredi** stated he loved the project and the staggered elevations and balconies.

341
342 **Commissioner Kite** believed it will provide a boom to the neighborhood. While some neighbors
343 may not like change and he understands the neighbors concerns, there has been a lot done to
344 make a very large building fit in a tasteful way, and the mass seems doable.

345
346 **Commissioner Coates** stated with only a few reservations, he concurred with Commissioner
347 Kite; the applicant has done a beautiful job. We do need to change, but we need to do it
348 tastefully.

349
350 **Commissioner Moye** agreed and believed the Quasts have worked hard on this project, and it
351 has a lot of potential.

352
353 *3. Are the overall heights and the 3-story elements of the Roman Spa and Stella Vista buildings*
354 *designed to ensure compatibility with the surrounding properties?*

355
356 **Commissioner Coates** stated the variation of the elevations stepping back is good. He could
357 only say they should work with the neighbors to address the concern with height.

358
359 *4. Is the current parking configuration sufficient to accommodate the proposed uses?*

360
361 **Commissioner Moye** said the way it looks now, in lieu fees may be appropriate, but he
362 questioned where the parking will be built.

363
364 **Chairman Manfredi** stated this points to what came out in the Urban Design Plan, hopefully the in
365 lieu money would go there.

366
367 **Commissioner Kite** suggested we should not go by the current parking maximum load, and the
368 Quasts should have a parking plan in place for busy situations.

369
370 **Michael Quast** noted if the footprints of envelopes are good, they are able to go forward and he
371 thanked the Commissioners and public for their input.

372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405

J. MATTERS INITIATED BY COMMISSIONERS

Commissioner Coates announced there would be a Veterans Day service at 11:00 AM, to be held at Logvy Park and everyone was invited.

Chairman Manfredi reported working with staff on unregulated vacation rentals situations. He was horrified if persons were found in violation with a vacation rental they are only fined \$100. He stated this doesn't prevent anyone from doing it. He asked staff to look at these penalties to implement a real prevention method.

K. DIRECTOR'S COMMENTS/PROJECT STATUS

Director Gallina advised Commissioners of an opportunity to attend the Sustainable Napa County Policymakers Summit, event for public officials in Napa County to talk about sustainability. She stated it will be a day long event 7:30 to 3 PM and RSVP are required.

Director Gallina reminded the next regular meeting will be held on Thursday November 18.

Commissioner Moyer inquired if there had been any activity on the Chevron Station project.

Director Gallina reported City Council did not approve the previous design and had directed staff to work with the applicant. Planner MacNab has made several attempts to contact the applicant but as yet has not been able to get them back in.

ADJOURNMENT

There was motion by **Chairman Manfredi**, seconded by **Commissioner Kite** to adjourn to the next regular Planning Commission meeting of Thursday, November 18, 2010, at 5:30 PM. **Motion carried: 4-0-1-0.** The meeting adjourned at 7:20 PM.

Kathleen Guill
Secretary to the Planning Commission

Attachments